

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:)	Chapter 11
)	
COMPASS MECHANICAL)	Judge Eugene R. Wedoff
SERVICES, INC.)	
)	
Debtor and Debtor in Possession.)	Case No. 09-47131
)	
)	Hearing: April 6, 2010 at 9:30 a.m.

NOTICE OF MOTION

To: See attached service list

PLEASE TAKE NOTICE that I will appear on April 6, 2010 at 9:30 a.m. before the Honorable Eugene R. Wedoff, or any other Judge sitting in his stead, in Courtroom 744, Dirksen Federal Building, 219 S. Dearborn St., Chicago, IL, and will then and there present the First Application for Interim Compensation for Professional Services and for Reimbursement of Expenses of Forrest L. Ingram, P.C., attorneys for the Debtor and Debtor in Possession, and request entry of orders in accordance with these applications. AT WHICH TIME AND PLACE YOU MAY APPEAR AND BE HEARD.

/s/ Forrest L. Ingram
One of Debtor's attorneys

Forrest L. Ingram, P.C.
Forrest L. Ingram #3129032
Peter L. Berk
79 W. Monroe St., Suite 900
Chicago, IL 60603
(312) 759-2838

CERTIFICATE OF SERVICE

I, Forrest L. Ingram, an attorney, certify that I caused a true and correct copy of the above and foregoing Notice and the document to which it refers, on all parties entitled to service, by electronic filing through ECF, electronic mail, via facsimile, or by regular U.S. mail, as set forth on the attached service list, at or before 5:00 p.m. on March 9, 2010.

/s/ Forrest L. Ingram

SERVICE LIST

VIA CM/ECF

William T. Neary
Office of the U.S. Trustee, Region 11
219 S. Dearborn St., Room 873
Chicago, IL 60604

William P. Callinan
Johnson & Krol, LLC
300 S. Wacker Dr., Ste. 1313
Chicago, IL 60606

Christopher H. Purcell
Sherman & Sherman
120 S. LaSalle St., Ste. 1460
Chicago, IL 60603

Gina B. Krol
Cohen & Krol
105 W. Madison Street, #1100
Chicago, IL 60602

VIA U.S. MAIL

Enterprise Fleet Services
395 East Roosevelt Rd.
Glen Ellyn, IL 60137

Ford Motor Credit
PO Box 54200
Omaha, NE 68154-3000

West Suburban Bank
711 S. Meyers Rd.
Lombard, IL 60148

VIA ELECTRONIC MAIL

Compass Mechanical Services, Inc.
165 Easy Street
Chicago, IL 60609

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In re:)	Chapter 11
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COMPASS MECHANICAL)	Judge Eugene R. Wedoff
SERVICES, INC.)	
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Debtor and Debtor in Possession.)	Case No. 09-47131
)	
)	Hearing: April 6, 2010 at 9:30 a.m.

**FIRST APPLICATION FOR INTERIM COMPENSATION
FOR PROFESSIONAL SERVICES AND FOR REIMBURSEMENT OF EXPENSES OF
FORREST L. INGRAM, P.C.**

FORREST L. INGRAM, P.C. ("Applicant") on behalf of its attorneys, duly appointed counsel for Debtor and Debtor in Possession Compass Mechanical Services, Inc. (the "Debtor"), hereby makes its first application for interim compensation ("this Application") pursuant to Section 331 of the United States Bankruptcy Code and Rule 2016 and Local Rule 607 and requests that this Honorable Court enter an order allowing compensation for legal services rendered and reimbursement of expenses incurred from December 14, 2009 through February 28, 2010. In support of this Application, Applicant states as follows:

1. On November 24, 2009, Debtor entered into an engagement agreement with Applicant for a Chapter 11 case, which was subsequently amended on December 12, 2009, and made part of Applicant's motion to employ itself as Debtor's counsel.
2. On December 14, 2009, Applicant filed, on Debtor's behalf, the petition for relief under chapter 11, Case No. 09-47131.
3. On February 24, 2010, the Court entered an order in this case allowing employment of Applicant as Debtor's attorneys, retroactive to December 14, 2009. A copy of the order is attached hereto as **Exhibit A**.

4. Applicant has performed numerous legal services for the Debtor thus far in this case. The times and chronology of the Applicant's services rendered in the above-entitled proceedings for the period from December 14, 2009 through February 28, 2010, are scheduled in detail to the tenth of an hour and arranged *by natures* in **Exhibit B**, attached hereto. A copy of Exhibit B has been sent to the Debtor with a request for review of the details, and for objection, if any. The Debtor has not objected to any items listed, to any of the services rendered, nor to any of the fees requested.
5. Applicant's billing detail, arranged *by attorneys*, is attached hereto as **Exhibit C**.
6. A brief description of the credentials of each employee of Forrest L. Ingram, P.C. for whom compensation is sought is attached hereto as **Exhibit D**.
7. All services for which compensation is requested were in connection with these bankruptcy proceedings. All services performed before the commencement of the case were paid for by the Debtor from its pre-petition retainer. All services performed after the commencement of the above-entitled proceedings were in connection with the performance of duties of the Debtor and Debtor in Possession as prescribed by the Bankruptcy Code or pursuant to orders of this Court.
8. Applicant requests the allowance of payment of compensation for legal services during the period December 14, 2009 through February 28, 2010 in the sum of \$15,993.00. Applicant requests the entry of the order in less than four months because Applicant is a small firm requiring the shorter interval.
9. The services rendered by Applicant were directly related and necessary to the filing and administration of the Chapter 11 case, including, but not limited to, completing the Debtor's schedules, attending various hearings on behalf of the Debtor, corresponding

with the Debtor and its creditors, attending the Debtor's initial debtor interview and 341(a) meetings, and filing a motion for sanctions for violation of the automatic stay.

10. HOURS OF SERVICES SORTED BY CATEGORY OR "NATURE" – The attorneys and clerks of Forrest L. Ingram, P.C. provided a total of 74.1 hours of services during the current period. The hours, broken down by natures are summarized in Exhibit B. They are as follows:

- a. **Admin** Approximately 31.9 hours of time and services were rendered in connection with matters that were administrative in nature including, but not limited to, completing the Debtor's schedules and statement of financial affairs, drafting a motion to extend the deadline to file the Debtor's schedules, preparing a motion to implement interim changes to a collective bargaining agreement, preparing with the Debtor for its initial debtor interview, attending court hearings on the Debtor's behalf, serving filed pleadings on the Debtor's behalf, and corresponding with the Debtor regarding current issues in its chapter 11 case. For these services, Applicant seeks \$5,768.50.
- b. **CashC** Approximately 1.4 hours of time and services were rendered in connection with conferencing regarding the Debtor's use of cash collateral and drafting pleadings related to the approval of a cash collateral order. For these services, Applicant seeks \$339.00.
- c. **CM** Approximately 22 hours of time and services were rendered in connection with contested matters, including, but not limited to, corresponding with counsel for Debtor's creditors, attending hearings on Debtor's behalf for various contested matters, and drafting and editing a motion for sanctions against one of Debtor's

creditors for a violation of the automatic stay. For such services, Applicant seeks \$5,359.00.

- d. **Cred** Approximately 0.4 hours of time and services were rendered in connection with proofreading a motion filed against one of the Debtor's creditors. For such services, Applicant seeks \$78.00.
- e. **DS&P** Approximately 0.4 hours of time and services were rendered in connection with the Debtor's disclosure statement and plan, including, but not limited to, conferencing regarding the filing of Debtor's plan and reviewing a motion to extend the deadline to file the Debtor's disclosure statement and plan or reorganization. For such services, Applicant seeks \$180.00.
- f. **Employ** Approximately 0.9 hours of time and services were rendered in connection with preparing Applicant's application to be employed as Debtor's counsel. For such services, Applicant seeks \$244.00.
- g. **Fin** Approximately 0.2 hours of time and services were rendered in connection with speaking with a potential debtor in possession financier regarding the possibility of providing the Debtor post-petition financing. For such services, Applicant seeks \$90.00.
- h. **Pre-Tr** Approximately 1.6 hours of time and services were rendered in connection with pre-trial matters, including, but not limited to, preparing and preparing for a motion for the Debtor's use of cash collateral. For such services, Applicant seeks \$352.00.
- i. **Resrch** Approximately 4.1 hours of time and services were rendered in connection with researching, including, but not limited to, researching matters

relating to the Debtor's issues with unions and collective bargaining agreements in bankruptcy. For such services, Applicant seeks \$797.00.

j. **Trste** Approximately 5.3 hours of time and services were rendered in connection with preparing for and attending the Debtor's initial debtor interview and 341(a) meetings. For such services, Applicant seeks \$1,118.50.

k. **Tx** Approximately 0.2 hours of time and services were rendered in connection with the Debtor's tax issues, including, but not limited to, discussing potential settlement between the Debtor and the Internal Revenue Service. For such services, Applicant seeks \$90.00.

l. **Union** Approximately 5.7 hours of time and services were rendered in connection with the Debtor's union issues, including, but not limited to, looking into the potential of rejecting a collective bargaining agreement through bankruptcy, corresponding with counsel for Local 597 Pipefitters, and drafting a motion related to the Debtor's use of unions in its employment. For such services, Applicant seeks \$1,577.00.00

11. HOURS OF SERVICES SORTED BY ATTORNEYS AND CLERKS – The attorneys and clerks of Forrest L. Ingram, P.C. provided a total of approximately 74.1 hours of service, broken down by attorney, as indicated on **Exhibit C**. They are as follows:

- a. **Attorney Forrest L. Ingram** provided approximately 8.1 hours of service at \$440.00 per hour prior to 01/01/2010 and \$450.00 per hour after 01/01/2010, including all phases of the chapter 11 case.
- b. **Attorney Michael Ohlman** provided approximately 30.8 hours of service at \$220.00 per hour, including all phases of the chapter 11 case.

- c. Attorney Vik Chaudhry provided approximately 19.9 hours of service at \$175.00 per hour prior to 01/01/2010 and \$195.00 per hour after 01/01/2010, including all phases of the chapter 11 case.
 - d. Attorney Phil Groben provided approximately 4.5 hours of service at \$175.00 per hour prior to 01/01/2010 and \$195.00 per hour after 01/01/2010, including all phases of the chapter 11 case.
 - e. Legal Clerk Brad Opfermann provided approximately 10.8 hours of service at \$90.00 per hour, including handling matters administrative in nature.
12. Applicant's customary fee includes actual compensation for time and services, fixed overhead, salaries, and unallocated costs.
13. Applicant has also expended costs in providing services to Debtor. Such costs, including the filing fee, postage and copying costs, are set forth in **Exhibit E**, attached hereto. For such costs, Applicant seeks reimbursement in the sum of **\$1,199.37**.
14. For pre-bankruptcy services prior to December 14, 2009, the Debtor has paid Applicant in full the amounts owed. The Debtor's pre-petition retainer for the chapter 11 case is in the sum of \$8,720.00 and was deposited into Applicant's IOLTA account. Debtor's guarantor Michael Wojciechowski advanced an additional \$5,000.00 toward the retainer, for a total chapter 11 retainer of **\$13,720.00**.
15. This Application and a Notice of Hearing on the First Application has been sent to the Debtor, to the U.S. Trustee, and to parties entitled to notice. A Notice for Hearing on this application has likewise been sent to all other creditors and parties of interest, along with a summary of all services provided by Debtor's counsel to the Debtor. A certificate of service for the Notice has been filed with the Clerk of the Court.

16. This Court has jurisdiction over the subject matter pursuant to 28 U.S.C. §1334. This is a core proceeding pursuant to 28 U.S.C. §157(b)(2)(A).

WHEREFORE, Applicant respectfully requests that the Court conduct an appropriate hearing on Counsel's application and allow a reasonable fee to Debtor's Counsel in the sum of **\$15,993.00** for services for the period from December 14, 2009 through February 28, 2010, plus costs of **\$1,199.37** for a total award of **\$17,192.37**. Applicant asks that it be authorized to apply the retainer of **\$13,720.00** to the total amount owed, and that the Debtor be authorized to pay Applicant the remaining fees and costs awarded in the sum of **\$3,472.37**. Applicant asks for such other and further relief as may be appropriate.

Respectfully submitted,

FORREST L. INGRAM, P.C.

/s/ Forrest L. Ingram
Attorney for Debtor

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